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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 WESTERN DIVISION

13 TELEDYNE TECHNOLOGIES, INC.,
14 a Delaware corporation,

15 Plaintiff,

16 vs.

17 HONEYWELL INTERNATIONAL,
18 INC., a Delaware corporation,

19 Defendant.

20 _____
21 AND COUNTERCLAIM

CASE NO. 06-06803-MMM (SHx)

DECLARATION OF K. PRASAD
NAIR IN SUPPORT OF PLAINTIFF
AND COUNTER-DEFENDANT
TELEDYNE TECHNOLOGIES
INCORPORATED'S RESPONSIVE
CLAIM CONSTRUCTION BRIEF

The Honorable Margaret M. Morrow

Hearing Date: January 28, 2008

Time: 9:00 a.m.

Courtroom: 780

Trial Date: Sept. 23, 2008

Discovery Cut-off Date: June 6, 2008

Pre-trial Conference Date: Aug. 25,
2008

1 **DECLARATION OF K. PRASAD NAIR**

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3 I, Prasad Nair, declare as follows:

4 1. I have personal knowledge of the information contained herein and if
5 called, could testify competently thereto.

6 2. I am currently the President of Project Management Enterprises, Inc.
7 (PMEI) in Bethesda, Maryland. PMEI provides consulting services to both Federal
8 and State governments and in the private sector (nationally and internationally) in
9 the areas of air-ground communications systems, aircraft maintenance and data
10 retrieval systems, technical standards development, Global Positioning System
11 (GPS) systems, mobile data link systems and telecommunications in the aviation
12 industry, including for ARINC, the Federal Aviation Administration (FAA) and the
13 Radio Technical Commission for Aeronautics (RTCA).

14 3. I hold a Bachelor of Science in Electrical Engineering from Howard
15 University, a Masters Degree in Engineering Administration from George
16 Washington University, and a Graduate Certificate in Management Information
17 Systems from American University. For more than the last 25 years, I have
18 provided consulting services in aviation related communications, including
19 feasibility studies, systems architecture, requirements analysis, hardware/software
20 selection, database design, request for proposal (RFP) preparation and procurement
21 actions, and project monitoring and management. During this time, I was familiar
22 with data reporting requirements for aircraft operators, the data communications
23 systems in use by aircraft operators, and aeronautical data communications
24 standards.

25 4. A copy of my resume is attached hereto as Exhibit 1.

26 5. I have been retained by Plaintiff and Counter-Defendant Teledyne
27 Technologies Incorporated in this case at the hourly rate of \$325 per hour. My
28 compensation in this matter is not related to the outcome of this case.

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3 6. I have read the declaration of Chris A. Wargo and I disagree with his
4 contentions regarding the terms "data acquisition unit" and "flight operations
5 center."

6 7. By July 1998, the FAA had required aircraft operators to collect and
7 record at least 88 different "flight data" parameters as part of "airplane flight
8 recorder specifications" in both dynamic and static conditions. See C.F.R., Title 14,
9 Chapter 1, Subchapter G, Part 121, Appendix M attached as Exhibit I to the
10 declaration of Anthony P. Alden lodged concurrently herewith in support of
11 Teledyne's Responsive Claim Construction Brief. Included among the 88 "flight
12 data" parameters were "engine parameters" such as "vibration level, N2, EGT, Fuel
13 Flow, Fuel Cut-off lever position and N3" and "engine warning" discretes
14 "vibration, temp, low pressure and speed." Id.

15 8. "Flight data" is typically recorded on a device that is commonly
16 referred to as a "airplane flight recorder," "flight data recorder" or "flight data
17 acquisition unit." However, the aforementioned FAA regulation does not require
18 that an aircraft collect and record "flight data" on any particular device (or using any
19 particular processor), only that aircraft have a device that collects and records the 88
20 "flight data" parameters. Thus, one of ordinary skill in the Relevant Art at the time
21 the '990 patent was filed would understand that the term "data acquisition unit" as it
22 is used in the '990 patent refers to any hardware device that is capable of acquiring
23 "flight data."

24 9. At the time the '990 patent was filed, the airlines, aircraft operators and
25 other third parties maintained "flight operations centers." In fact, since 1985
26 Honeywell's Global Data Center has provided the type of "flight operations center"
27 functions described by Mr. Wargo in his declaration:

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2 Global Data Center Pre-Flight Services

- 3 • Datalink Communications
4 • Pre-arranged Fuel
5 • Web Flight Planning
6 • Flight Sentinel™
7 • Air Traffic Services

8 Global Data Center In-Flight Services

- 9 • Air Traffic Services
10 • Navigation Databases
11 • WINN™ Graphical Weather
12 • JetMapII®
13 • Onelink™
14 • Graphical Flight Following

15 Flight Sentinel Services

- 16 • Flight Planning
17 • Active Flight Monitoring
18 • Collaborative Decision Making
19 • Custom Flight Concierge

20 Attached to this declaration as Exhibit 2 is a printout of a web page from the
21 National Business Aviation Association, Inc. website describing the "flight
22 operations" services of Honeywell and other third parties which are not considered
23 "airlines" or "aircraft operators." Thus, one of ordinary skill in the Relevant Art at
24 the time the '990 patent was filed (as well as today) would understand that the term
25 "flight operations center" as it is used in the '990 patent refers to the location
26 housing and/or in communication with a data reception unit.

27 10. In connection with the preparation of this declaration, I have read U.S.
28 Patent No. 6,181,990 ("the '990 patent"), filed July 30, 1998. I have also read the
prosecution histories of both the original application and the reexamination and the
prior art relied upon by the United States Patent Office Examiners. I have also
reviewed and examined the Joint Claim Construction Chart regarding the asserted

1 claims filed by the parties on November 5, 2007. Nothing in any of these
2 documents changes my opinions detailed above.

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5 DATED: December 17, 2007

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K. Prasad Nair